

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

vs.

DANNY B. LUONG, ET AL.,

Defendants.

CASE NO. 20-cv-00121-YGR

**ORDER VACATING HEARING; DIRECTING
PLAINTIFF TO RESPOND BY APRIL 17, 2020**

Re: Dkt. No. 13

Defendants Danny B. Luong and Diana Wong move pursuant to FRCP 12(b)(1), 12(h)(3), and 28 U.S.C. §1367(c) for an order dismissing plaintiff's claims for lack of subject matter jurisdiction. (Dkt. No. 13.) The motion was filed February 10, 2020, and under the Civil Local Rules of this District, plaintiff Scott Johnson's opposition was due February 24, 2020. Civ. L. R. 7-3(a). As of the date of this Order, no opposition has been filed. Defendants filed a reply pointing out the lack of opposition to the motion on March 2, 2020. (Dkt. No. 14.)¹

The Court **VACATES** the hearing set for **March 31, 2020**.

Plaintiff is directed to file a response to the motion to dismiss no later than **April 17, 2020**. Failure to file a response will be deemed non-opposition to the motion and this action will be dismissed.

IT IS SO ORDERED.

Dated: March 24, 2020


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

¹ Defendants represent that the motion was made following repeated attempts by defendant's counsel to meet and confer on the matters herein, including offering pictures and a report reflecting conditions of the property at issue. (Abraham Decl., Dkt. No. 13-2, ¶¶ 3-5.)